

REMARKS

Claim 1 is currently pending. Claim 1 was rejected by the Office Action. Claim 1 has been amended. Claims 2-4 have been added. Reconsideration of the claim, as amended, and consideration of the new claims is respectfully requested.

A. Rejection Under 35 U.S.C. 102(b).

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,069,554 to Minolla et al. (hereinafter the "Minolla Reference"). The Applicant respectfully traverses.

Claim 1, as amended, specifically requires "a first ear extending away from the junction between the second horizontal member and the first vertical member," and "a second ear extending away from the junction between the second horizontal member and the second vertical member," and "wherein said ears prevent said third horizontal member from sliding past said ears." The Office Action construed the first and second arcuate outer-end of grip panel 16 to be the first and second ear as defined in claim 1. These arcuate outer-end sections of the grip handle are not ears within the understanding of the claim. The ears provide a catch ridge to prevent the third horizontal member from sliding off during the assembly of the device.

Conversely, the design illustrated in the Minolla reference would allow the degree of slide to be greater. Moreover, the Minolla reference inherently teaches a second horizontal section that is much tighter in tolerance lessening the need for ears, and in fact relies on the thrust piece 10 and the ribbed transverse web 9 to keep the locking cap 11 in

place. Conversely, the ears of claim 1 “facilitate retention of the sliding horizontal member 116 while the web adjuster 100 is first being installed upon the safety belt,” as taught in our specification on page 10, lines 6-8. Accordingly, the Minolla Reference does not teach each and every feature of the claim and, in fact, actually teaches away from the language as defined in claim 1.

Claims 2-4 include many of these features and other features not present or suggested by the Minolla reference. For instance, claim 2 includes the feature of “when said web adjuster has been rotated at least 45 degrees from a first position to a second position.” Support for this feature can be found on page 10, lines 13-15, and page 10 lines 19-20 of Applicant’s specification as originally filed. The Minolla reference fails to teach this feature. The Minolla reference teaches away from this feature on column 2, lines 54-61, by teaching “[e]ven slight angles in the adjusting device according to the invention will produce optimum adjustment opportunity.” Hence, the Minolla reference teaches away from requiring at least 45 degrees of rotation before the belt is able to move with respect to the adjusting device, which is an important safety feature of the invention defined in Applicant’s claim 2. Therefore, there is no teaching or suggestion in the Minolla reference of the features of claim 2 and therefore claim 2 is allowable over the references of record for at least these reasons.

Claim 3 depends from independent claim 2 and therefore includes all of the features of independent claim 2. It is therefore respectfully submitted that claim 3 is allowable over the references of record for at least the same reasons as claim 2.

Claim 4 includes the features of "the second horizontal member defining an opening therethrough." The Minolla reference does not teach or suggest this feature. The Minolla reference teaches away from this feature by teaching a solid second horizontal member. Thus, claim 4 is allowable over the references of record for at least this reason.

B. Conclusion

Accordingly, it is believed that claims 1-4 are in condition for allowance. Reconsideration of the present application as amended is respectfully requested. The Examiner is invited to call the undersigned attorney to address any outstanding matters concerning the present Application.

Respectfully submitted,

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